

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL A. JORDAN,
THOMAS E. DUNIGAN, and
MARKUS V. MOORE,

Defendants.

NO. CR05-5823RBL

PROTECTIVE ORDER

This matter, having come to the Court's attention on the United States's Agreed Motion for Entry of Discovery Protective Order, and the Court, having considered the government's motion, lack of objections submitted by the defendants, and the entirety of the record and being fully advised in this matter, the Court hereby enters the following DISCOVERY PROTECTIVE ORDER:

1. Permissible Disclosure of Protected Material.

The following documents and materials are deemed Protected Material. The United States will make available copies of the Protected Materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Material is limited to the attorneys of record, and investigators, paralegals, law clerks, experts and assistants for the attorneys of record (hereinafter collectively referred to as "members of the defense team"):

a. Grand Jury transcripts (when provided).

- b. Witness statements.
- c. FBI-302 or other police reports regarding interviews or proffer sessions with potential witnesses.
- d. Audio recordings and transcripts.
- e. Search warrant pleadings (in this and related cases).
- f. Other government pleadings to be filed under seal, e.g., the Government's Trial Brief and Notice of Intent to Introduce Other Crimes Evidence.

The attorneys of record and members of the defense team may share and review the Protected Material with their respective defendant clients. The attorneys of record and members of the defense team acknowledge that providing copies of the Protected Material to the defendants and other persons is prohibited, and agree not to duplicate or provide copies of the Protected Material to defendants and other persons. The exception to this prohibition is the dissemination of electronic copies to the Federal Detention Center at SeaTac, Washington, for use in a controlled environment by in-custody defendants. The United States Attorney's Office for the Western District of Washington is prohibited from providing copies of the Protected Material to non-law enforcement witnesses or potential witnesses. Any violation of these prohibitions constitutes a violation of the Protective Order. Further, the attorneys of record are required, prior to disseminating any copies of the Protected Material to members of the defense team, to provide a copy of this Protective Order to members of the defense team, and obtain written consent by members of the defense team of their acknowledgment to be bound by the terms and conditions of this Protective Order. The written consent need not be disclosed or produced to the United States unless requested by the Assistant United States Attorney and ordered by the Court.

2. Filing

Any Protected Material that is filed with the Court in connection with pre-trial motions, trial, or other matter before this Court, shall be filed under seal and shall remain sealed until otherwise ordered by this Court.

